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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,363	07/06/2006	Robert Lindemann	PD040013	2487
24498	7590	02/05/2008		
Joseph J. Laks THOMSON LICENSING LLC 2 Independence Way, Patent Operations PO BOX 5312 PRINCETON, NJ 08543			EXAMINER NGUYEN, CAO H	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 02/05/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/585,363	Applicant(s) LINDEMANN, ROBERT	
	Examiner Cao (Kevin) Nguyen	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 39-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Schein et al.

(US Patent Application Publication No. 2002/0129366).

Regarding claim 39, Schein discloses method for selecting an item in a list of items, the method including the steps of displaying on a screen, adjacent to each other, multiple items from a list of items in a first scrolling zone, wherein the items are scrolled by removing items firstly introduced in the first scrolling zone and introducing new items from the list of items into the first scrolling zone [..The viewer may scroll through the cells to view which television programs are being presented on various channels at various times. In addition, the viewer may select certain cells to obtain more information on the associated program or to pull up other submenus with additional options; see page 1. par. 0008]; displaying on the screen, adjacent to each other, multiple items from the list of items in a second scrolling zone, wherein the items are scrolled by removing items firstly introduced in the second scrolling zone and introducing new items from the list of items into the second scrolling zone, and wherein the second scrolling zone is displayed adjacent to the first scrolling zone [..The user interface directs the database engine to display program description text in the central window. Both elements stretch

horizontally to occupy the entire display area leaving only scroll zones around the periphery; see page 7, par. 119 and figure 12]; wherein the method further includes the steps of presenting a selection area within the first or the second scrolling zone, accepting a user input as a selection command to select one of the items displayed in the first or second scrolling zone being displayed in the selection area, accepting a user input as a command to move the selection zone to the respective other scrolling zone, making the respective scrolling zone within which the selection area is presented an elected scrolling zone [..when the user moves the pointer over the text area the text in the contextual help window informs the user that clicking in this area scrolls down the text. An information scroll indication zone at the left of the text displays a highlighted area in which two arrows point downward in the direction of scrolling; see page 7, par. 0120].

Regarding claim 40, Schein discloses wherein the items in the first and second scrolling zones are complementary items from the list of items (see page 3, par. 0047).

Regarding claim 41, Schein discloses wherein the displaying step includes displaying each scrolling zone with respective different, contrasting colours for elected and non- elected scrolling zone (see figure 1).

Regarding claim 42, Schein discloses wherein the user input for choosing the elected scrolling zone and the selection command are identical, wherein the duration of the user input is used to distinguish between determining the active sub-list and selecting an item (see page 6, par. 0106-0107).

Regarding claim 43, Schein discloses further including the step of highlighting the item in the selection area (see page 2, par. 0041).

Regarding claim 44, Schein discloses wherein the items in the first and second scrolling zones (new) are displayed a first and a second scrolling speed, the elected scrolling zone preferably being scrolled at a lower speed than the not elected scrolling zone (see page 7, par. 0115).

Regarding claim 45, Schein discloses wherein the scrolling direction and/or the scrolling speed of one or more of the scrolling zones are reversed and/or altered, respectively, or that the selection area is displaced in or against the scrolling direction upon a user input (see figures 8-9).

Regarding claim 46, Schein discloses wherein the order of the items in the first and/or second scrolling zone is adapted depending on the preceding user selections (see page 7, par. 0118-0119).

Regarding claim 47, Schein discloses wherein selected items from the list of items are reproduced several times in the respective scrolling zone during one complete run of all items of the respective sub-list (see page 8, par. 0147).

Regarding claim 48, Schein discloses wherein the frequency of occurrence of identical items in the first or second scrolling zone is dependent of preceding user selections (see page 9, par. 0152).

Regarding claim 49, Schein discloses wherein at least one of the items out of the list of items that are displayed in the first and/or second scrolling zone is deleted or replaced by one or

more items out of a second list, depending on the frequency and/or time of preceding user selections and/or a single user selection of individual items (see page 8, par. 0141-0142).

Regarding claim 50, Schein discloses wherein at least one of the items of the first list of items is linked with at least one item in a second list of items, wherein selection of a linked item of the first list of items effects displaying one or all linked item or items of the second list of items in the first and second scrolling zones (see (see page 8, par. 0131 and figure 21).

Regarding claim 51, Schein discloses wherein the item in the selection area and/or the selected item, or the content any of it relates to, is reproduced in an additional area on the screen (see page 8, par. 0132 and figure 22).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

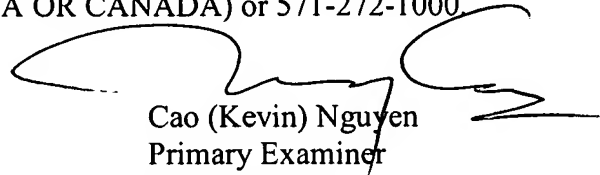
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571)272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

01/31/08